

*Small Business Bill General per 50827 Do Pass*  
SENATE FILE 2063 *2/2 (p. 319)*

*Reprint 2/15*

Small Business & Economic  
Development  
Hutchins, Chair  
Anderson  
Taylor

SENATE FILE 2063  
BY BRUNER

FILED JAN 16 1984

Passed Senate, Date 2-9-84 (p. 378) Passed House, Date 3-29-84 (P1475)  
Vote: Ayes 40 Nays 2 Vote: Ayes 95 Nays 0  
Approved May 2, 1984

### A BILL FOR

1 An Act relating to the Iowa product development corporation  
2 Act.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2063

1 Section 1. Section 28.83, subsection 3, Code Supplement  
2 1983, is amended to read as follows:

3 3. The board of directors shall annually elect one member  
4 as chairperson and one member as secretary. The board may  
5 elect other officers of the ~~corporation~~ authority as necessary.  
6 Members ~~shall not receive compensation but~~ are entitled to  
7 receive forty dollars per diem for each day spent in  
8 performance of duties and shall be reimbursed for necessary  
9 expenses incurred in the performance of duties from funds  
10 appropriated to the Iowa development commission.

11 Sec. 2. Section 28.86, Code Supplement 1983, is amended  
12 to read as follows:

13 28.86 PRESIDENT. The board of directors shall appoint  
14 a president of the ~~corporation~~ authority who shall serve at  
15 the pleasure of the board and shall receive the compensation  
16 determined by the board. The president is a state employee.  
17 The president shall not be a member of the board. The  
18 president ~~shall be~~ is the chief administrative and operational  
19 officer of the ~~corporation~~ authority and shall direct and  
20 supervise the administrative affairs and the general management  
21 of the ~~corporation~~ authority. The president may employ other  
22 employees as designated by the board. The president shall  
23 provide copies of all minutes, documents, and other records  
24 of the ~~corporation~~ authority and shall provide a certificate  
25 which attests to truthfulness of the copies, if requested.  
26 Persons dealing with the ~~corporation~~ authority may rely upon  
27 the certificates. The president shall keep a record of all  
28 proceedings, documents, and papers filed with the ~~corporation~~  
29 authority.

30 Sec. 3. Section 28.88, Code Supplement 1983, is amended  
31 by adding the following new subsection:

32 NEW SUBSECTION. Notwithstanding the requirements of chapter  
33 28A, relating to open meetings, and chapter 68A, relating  
34 to examination of public records, the authority shall keep  
35 as confidential those items on the application for financial

1 aid that the applicant has specifically requested to be held  
 2 in confidence. These items shall remain confidential until  
 3 the applicant says otherwise or the authority determines the  
 4 items no longer need to be held confidential.

5 Sec. 4. Section 28.89, Code Supplement 1983, is amended  
 6 to read as follows:

5082 7 28.89 IOWA PRODUCT DEVELOPMENT ~~CORPORATION~~ AUTHORITY FUND.

8 There is created an "Iowa product development ~~corporation~~  
 9 authority fund". All funds of the ~~corporation~~ authority  
 10 including the proceeds from the issuance of notes or sale  
 11 of bonds under this division, any funds appropriated from  
 12 the general fund to the ~~corporation~~ authority, and other  
 13 income derived from the exercise of ~~authority~~ powers granted  
 14 to the ~~corporation~~ authority under this division shall be  
 15 ~~paid to the treasurer of state as an agent of the corporation~~  
 16 ~~and the treasurer shall deposit the amounts in~~ into the Iowa  
 17 product development ~~corporation~~ authority fund notwithstanding  
 18 section 12.10. The money in the Iowa product development  
 19 ~~corporation~~ authority fund shall be paid out by warrants  
 20 ~~signed by the treasurer of state on requisition of the~~  
 21 ~~president of the corporation~~ on the order of the person  
 22 authorized by the authority. The money in the Iowa product  
 23 development ~~corporation~~ authority fund shall be used for  
 5103 > 24 repayment of notes and bonds issued under this division, and  
 25 the extension of financial aid granted by the ~~corporation~~  
 26 authority under this division, and the amount remaining may  
 27 be used for the payment of the administrative and overhead  
 5082 > 28 costs of the ~~corporation~~ authority to the extent required.

29 Sec. 5. Section 28.90, Code Supplement 1983, is amended  
 30 to read as follows:

5082 31 28.90 PRODUCT DEVELOPMENT ~~CORPORATION~~ AUTHORITY NOTES.

32 The ~~corporation~~ authority may issue Iowa product development  
 33 ~~corporation~~ authority fund notes, the principal and interest  
 34 of which shall be payable solely from the Iowa product  
 35 development ~~corporation~~ authority fund established by this

1 division. The fund notes of each issue shall be dated, shall  
2 mature at times not exceeding ten years from their dates of  
3 issue, and may be made redeemable before maturity, at the  
4 option of the ~~corporation~~ authority, at prices and under terms  
5 and conditions as determined by the ~~corporation~~ authority.  
6 The ~~corporation~~ authority shall determine the form and manner  
7 of execution of the fund notes, including any interest coupons  
8 to be attached, and shall fix the denominations and the places  
9 of payment of principal and interest, which may be any  
10 financial institution within or without the state or any  
11 agent, including the lender. If an officer whose signature  
12 or a facsimile of whose signature appears on fund notes or  
13 coupons ceases to be that officer before the delivery of the  
14 notes or coupons, the signature or facsimile is valid and  
15 sufficient for all purposes the same as if the officer had  
16 remained in office until delivery. The fund notes may be  
17 issued in coupon or in registered form, or both, as the  
18 ~~corporation~~ authority determines, and provision may be made  
19 for the registration of coupon fund notes as to principal  
20 alone and also as to both principal and interest, and for  
21 the conversion into coupon fund notes of any fund notes  
22 registered as to both principal and interest, and for the  
23 interchange of registered and coupon fund notes. Fund notes  
24 shall bear interest at rates as determined by the ~~corporation~~  
25 authority and may be sold in a manner, either at public or  
26 private sale, and for a price as the ~~corporation~~ authority  
27 determines to be best to effectuate the purposes of the ~~housing~~  
28 ~~assistance~~ Iowa product development authority fund. The  
29 proceeds of fund notes shall be used solely for the purposes  
30 for which issued and shall be disbursed in a manner and under  
31 restrictions as provided in this division and in the resolution  
32 of the ~~corporation~~ authority providing for their issuance.  
33 The ~~corporation~~ authority may provide for the replacement  
34 of fund notes which become mutilated or are destroyed or lost.

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35 Sec. 6. Sections 28.81; 28.82, subsections 1, 5, 6, and

1 7; 28.83, subsections 1, 2, 4, 5, and 6; 28.84; 28.85; 28.87,  
2 unnumbered paragraph 1, subsections 2, 7, 8, and 12; 28.88;  
3 28.91; 28.92; 28.93; and 28.94, subsections 1, 2, 4, and 5,  
4 Code Supplement 1983, are amended by striking the word  
5 "corporation" and inserting in lieu thereof the word  
6 "authority".

7 EXPLANATION

8 The bill amends the Iowa product development corporation  
9 Act which was enacted in the 1983 Session. The bill changes  
10 the name to the Iowa product development authority and  
11 references to "corporation" are changed to "authority".  
12 Language is added that specifies that the president of the  
13 authority is a state employee, that funds, including appropria-  
14 tions, deposited in the Iowa product development authority  
15 fund are not to revert to the state general fund, that board  
16 members are entitled to \$40 per diem, and that an applicant  
17 for financial aid can require the authority to hold certain  
18 items on the application in confidence. The bill corrects  
19 an incorrect reference and repeals the requirement that moneys  
20 from the Iowa product development authority fund shall be  
21 paid out by warrants signed by the state treasurer. Rather,  
22 the authority will handle its own moneys, much as the housing  
23 finance authority now does.

24 The bill takes effect July 1 following enactment.

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SENATE FILE 2063

5082

- 1 Amend Senate File 2063 as follows:
- 2 1. Page 1, line 5, by striking the words
- 3 "~~corporation~~ authority" and inserting in lieu thereof
- 4 the word "corporation".
- 5 2. Page 1, line 14, by striking the words
- 6 "~~corporation~~ authority" and inserting in lieu thereof
- 7 the word "corporation".
- 8 3. Page 1, line 19, by striking the words
- 9 "~~corporation~~ authority" and inserting in lieu thereof
- 10 the word "corporation".
- 11 4. Page 1, line 21, by striking the words
- 12 "~~corporation~~ authority" and inserting in lieu thereof
- 13 the word "corporation".
- 14 5. Page 1, line 24, by striking the words
- 15 "~~corporation~~ authority" and inserting in lieu thereof
- 16 the word "corporation".
- 17 6. Page 1, line 26, by striking the words
- 18 "~~corporation~~ authority" and inserting in lieu thereof
- 19 the word "corporation".
- 20 7. Page 1, lines 28 and 29, by striking the words
- 21 "~~corporation~~ authority" and inserting in lieu thereof
- 22 the word "corporation".
- 23 8. Page 1, line 34, by striking the word
- 24 "authority" and inserting in lieu thereof the word
- 25 "corporation".
- 26 9. Page 2, line 3, by striking the word "authority"
- 27 and inserting in lieu thereof the word "corporation".
- 28 10. Page 2, line 7, by striking the words
- 29 "~~CORPORATION~~ AUTHORITY" and inserting in lieu thereof
- 30 the word "CORPORATION".
- 31 11. Page 2, lines 8 and 9, by striking the words
- 32 "~~corporation~~ authority" and inserting in lieu thereof
- 33 the word "corporation".
- 34 12. Page 2, line 9, by striking the words
- 35 "~~corporation~~ authority" and inserting in lieu thereof
- 36 the word "corporation".
- 37 13. Page 2, line 12, by striking the words
- 38 "~~corporation~~ authority" and inserting in lieu thereof
- 39 the word "corporation".
- 40 14. Page 2, line 14, by striking the words
- 41 "~~corporation~~ authority" and inserting in lieu thereof
- 42 the word "corporation".
- 43 15. Page 2, line 17, by striking the words
- 44 "~~corporation~~ authority" and inserting in lieu thereof
- 45 the word "corporation".
- 46 16. Page 2, line 19, by striking the words
- 47 "~~corporation~~ authority" and inserting in lieu thereof
- 48 the word "corporation".
- 49 17. Page 2, line 22, by striking the word
- 50 "authority" and inserting in lieu thereof the word

S-5082  
PAGE 2

- 1 "corporation".
- 2 18. Page 2, line 23, by striking the words
- 3 "~~corporation~~ authority" and inserting in lieu thereof
- 4 the word "corporation".
- 5 19. Page 2, lines 25 and 26, by striking the words
- 6 "~~corporation~~ authority" and inserting in lieu thereof
- 7 the word "corporation".
- 8 20. Page 2, line 28, by striking the words
- 9 "~~corporation~~ authority" and inserting in lieu thereof
- 10 the word "corporation".
- 11 21. Page 2, line 28, by inserting after the word
- 12 "required." the words and figure "Notwithstanding
- 13 section 8.33, no part of this fund shall revert at
- 14 or after the close of a fiscal year unless otherwise
- 15 provided by the general assembly, but shall remain
- 16 in the fund and appropriated for the purposes of this
- 5705 17 division."
- 18 22. Page 2, line 31, by striking the words
- 19 "~~CORPORATION AUTHORITY~~" and inserting in lieu thereof
- 20 the word "CORPORATION".
- 21 23. Page 2, line 32, by striking the words
- 22 "~~corporation~~ authority" and inserting in lieu thereof
- 23 the word "corporation".
- 24 24. Page 2, line 33, by striking the words
- 25 "~~corporation~~ authority" and inserting in lieu thereof
- 26 the word "corporation".
- 27 25. Page 2, line 35, by striking the words
- 28 "~~corporation~~ authority" and inserting in lieu thereof
- 29 the word "corporation".
- 30 26. Page 3, line 4, by striking the words
- 31 "~~corporation~~ authority" and inserting in lieu thereof
- 32 the word "corporation".
- 33 27. Page 3, line 5, by striking the words
- 34 "~~corporation~~ authority" and inserting in lieu thereof
- 35 the word "corporation".
- 36 28. Page 3, line 6, by striking the words
- 37 "~~corporation~~ authority" and inserting in lieu thereof
- 38 the word "corporation".
- 39 29. Page 3, line 18, by striking the words
- 40 "~~corporation~~ authority" and inserting in lieu thereof
- 41 the word "corporation".
- 42 30. Page 3, lines 24 and 25, by striking the words
- 43 "~~corporation~~ authority" and inserting in lieu thereof
- 44 the word "corporation".
- 45 31. Page 3, line 26, by striking the words
- 46 "~~corporation~~ authority" and inserting in lieu thereof
- 47 the word "corporation".
- 48 32. Page 3, line 28, by striking the word
- 49 "authority" and inserting in lieu thereof the word
- 50 "corporation".

1 33. Page 3, line 32, by striking the words  
2 "~~corporation~~ authority" and inserting in lieu thereof  
3 the word "corporation".  
4 34. Page 3, line 33, by striking the words  
5 "~~corporation~~ authority" and inserting in lieu thereof  
6 the word "corporation".  
7 35. By striking page 3, line 35 through page  
8 4, line 6 and inserting in lieu thereof the following:  
9 "Sec. 6. Section 28.93, Code Supplement 1983,  
10 is amended to read as follows:  
11 28.93 AUDITS. The auditor of state shall audit  
12 the books and accounts of the corporation at least  
13 semi-annually. One audit shall be conducted for the  
14 preceding fiscal year on or after July 1 of each  
15 fiscal year. The results of the yearly audit shall  
16 be ~~certified-and-turned-over~~ submitted to the governor  
17 no later than ~~July-30~~ December 31 of each fiscal  
18 year."

S-5082 FILED  
FEBRUARY 2, 1984

*Adopted as amended by  
5105 2/9 (p. 377)*

BY COMMITTEE ON SMALL BUSINESS AND  
ECONOMIC DEVELOPMENT  
EMIL HUSAK, CHAIR

SENATE FILE 2063

S-5035

1 Amend Senate File 2063 as follows:  
2 1. Page 3, by inserting after line 34 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 28.93, Code Supplement 1983,  
5 is amended to read as follows:  
6 28.93 AUDITS. The auditor of state shall audit  
7 the books and accounts of the ~~corporation~~ authority  
8 at least semi-annually. One audit shall be conducted  
9 for the preceding fiscal year on or after July 1 of  
10 each fiscal year. The results of the yearly audit  
11 shall be ~~certified-and-turned-over~~ submitted to the  
12 governor no later than ~~July-30~~ December 31 of each  
13 fiscal year."  
14 2. Page 4, line 3, by striking the figures  
15 "28.93;".  
16 3. By renumbering as necessary.

S-5035 FILED  
JANUARY 23, 1984

*Placed out of order 2/9 (p. 377)*

BY CHARLES BRUNER

SENATE FILE 2063

S-5053

1 Amend Senate File 2063 as follows:  
2 1. Page 2, line 28, by inserting after the word  
3 "required." the words and figure "Notwithstanding  
4 section 8.33, no part of this fund shall revert at  
5 or after the close of a fiscal year unless otherwise  
6 provided by the general assembly, but shall remain  
7 in the fund and appropriated for the purposes of this  
8 division."

S-5053 FILED  
JANUARY 26, 1984

*Placed out of order 2/9 (p. 377)*

BY CHARLES BRUNER

SENATE FILE 2063

S-5103

1 Amend Senate File 2063 as follows:  
2 1. Page 2, line 24, by inserting after the word  
3 "division" the words "to repay funds appropriated  
4 from the state general fund which repayment shall  
5 be within five years of the date of appropriation".

S-5103 FILED & WITHDRAWN  
FEBRUARY 9, 1984 (p. 277)

BY EDGAR H. HOLDEN

SENATE FILE 2063

S-5105

1 Amend Senate amendment S-5082 to Senate File  
2 2063 as follows:  
3 1. Page 2, by striking line 17 and inserting  
4 in lieu thereof the following:  
5 "division. The board shall seek to repay the  
6 the state for general fund appropriations by rec-  
7 ommending to the general assembly reversions from  
8 income received from successful ventures. The  
9 board shall recommend such action at any time when  
10 the revenue available to the board is deemed suf-  
11 ficient to continue existing operations."

S-5105 FILED & ADOPTED  
FEBRUARY 9, 1984 (p. 277)

BY EDGAR H. HOLDEN  
CHARLES BRUNER

1 Amend Senate File 2063 as amended, passed and  
2 reprinted by the Senate, as follows:

3 1. Page 4, by inserting after line 14 the  
4 following:

5 "Sec. \_\_\_\_ Section 175.7, subsections 1 and 2,  
6 Code 1983, are amended to read as follows:

7 1. ~~The executive-director-and-staff-of-the-Iowa~~  
8 ~~housing-finance-authority-shall-also-serve-as-executive~~  
9 ~~director-and-staff-of-the-authority,-respectively~~  
10 governor, subject to confirmation by the senate, shall  
11 appoint an executive director of the authority, who  
12 shall serve at the pleasure of the governor. The  
13 executive director shall be selected primarily for  
14 administrative ability and knowledge in the field,  
15 without regard to political affiliation. The executive  
16 director shall not, directly or indirectly, exert  
17 influence to induce any other officers or employees  
18 of the state to adopt a political view, or to favor  
19 a political candidate for office.

20 2. The executive director shall advise the  
21 authority on matters relating to agricultural land  
22 and property and agricultural finance, and carry out  
23 all directives from the authority, and ~~may~~ shall hire  
24 and supervise ~~additional~~ the authority's staff pursuant  
25 to its directions and under ~~the provisions of~~ chapter  
26 19A, except that principal administrative assistants  
27 with responsibilities in beginning farm loan programs,  
28 accounting, mortgage loan processing, and investment  
29 portfolio management are exempt from that chapter.

30 Sec. \_\_\_\_ Section 220.10, subsection 1, Code  
31 Supplement 1983, is amended to read as follows:

32 1. All moneys declared by the authority to be  
33 surplus moneys which are not required to service bonds  
34 and notes issued by the authority, to pay  
35 administrative expenses of the authority, or to  
36 accumulate necessary operating or loss reserves, shall  
37 be used by the authority to ~~pay-administrative-expenses~~  
38 ~~of-~~or~~~~ provide loans to the Iowa family farm development  
39 authority in connection with the programs authorized  
40 in the Iowa family farm development Act, to provide  
41 grants, subsidies, and services to lower income  
42 families and very low income families through any  
43 of the programs authorized in this chapter, or to  
44 provide funds for the residential mortgage interest  
45 reduction program established pursuant to section  
46 220.81."

47 2. Title page, line 2, by inserting after the  
48 word "Act" the words "and to the executive director,  
49 staff, and administrative expenses of the Iowa family  
50 farm development authority".

Page Two

1 3. Renumber as necessary.



1 Section 1. Section 28.83, subsection 3, Code Supplement  
2 1983, is amended to read as follows:

3 3. The board of directors shall annually elect one member  
4 as chairperson and one member as secretary. The board may  
5 elect other officers of the corporation as necessary. Members  
6 ~~shall not receive compensation but~~ are entitled to receive  
7 forty dollars per diem for each day spent in performance of  
8 duties and shall be reimbursed for necessary expenses incurred  
9 in the performance of duties from funds appropriated to the  
10 Iowa development commission.

11 Sec. 2. Section 28.86, Code Supplement 1983, is amended  
12 to read as follows:

13 28.86 PRESIDENT. The board of directors shall appoint  
14 a president of the corporation who shall serve at the pleasure  
15 of the board and shall receive the compensation determined  
16 by the board. The president is a state employee. The president  
17 shall not be a member of the board. The president ~~shall be~~  
18 is the chief administrative and operational officer of the  
19 corporation and shall direct and supervise the administrative  
20 affairs and the general management of the corporation. The  
21 president may employ other employees as designated by the  
22 board. The president shall provide copies of all minutes,  
23 documents, and other records of the corporation and shall  
24 provide a certificate which attests to truthfulness of the  
25 copies, if requested. Persons dealing with the corporation  
26 may rely upon the certificates. The president shall keep  
27 a record of all proceedings, documents, and papers filed with  
28 the corporation.

29 Sec. 3. Section 28.88, Code Supplement 1983, is amended  
30 by adding the following new subsection:

31 NEW SUBSECTION. Notwithstanding the requirements of chapter  
32 28A, relating to open meetings, and chapter 68A, relating  
33 to examination of public records, the corporation shall keep  
34 as confidential those items on the application for financial  
35 aid that the applicant has specifically requested to be held

1 in confidence. These items shall remain confidential until  
2 the applicant says otherwise or the corporation determines  
3 the items no longer need to be held confidential.

4 Sec. 4. Section 28.89, Code Supplement 1983, is amended  
5 to read as follows:

6 28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND. There  
7 is created an "Iowa product development corporation fund".

8 All funds of the corporation including the proceeds from the  
9 issuance of notes or sale of bonds under this division, any  
10 funds appropriated from the general fund to the corporation,  
11 and other income derived from the exercise of authority powers  
12 granted to the corporation under this division shall be paid  
13 ~~to the treasurer of state as an agent of the corporation and~~  
14 ~~the treasurer shall deposit the amounts in~~ into the Iowa  
15 product development corporation fund notwithstanding section  
16 12.10. The money in the Iowa product development corporation  
17 fund shall be paid out ~~by warrants signed by the treasurer~~  
18 ~~of state on requisition of the president of the corporation~~  
19 on the order of the person authorized by the corporation.

20 The money in the Iowa product development corporation fund  
21 shall be used for repayment of notes and bonds issued under  
22 this division, and the extension of financial aid granted  
23 by the corporation under this division, and the amount  
24 remaining may be used for the payment of the administrative  
25 and overhead costs of the corporation to the extent required.

26 Notwithstanding section 8.33, no part of this fund shall  
27 revert at or after the close of a fiscal year unless otherwise  
28 provided by the general assembly, but shall remain in the  
29 fund and appropriated for the purposes of this division.

30 The board shall seek to repay the state for general fund  
31 appropriations by recommending to the general assembly  
32 reversions from income received from successful ventures.

33 The board shall recommend such action at any time when the  
34 revenue available to the board is deemed sufficient to continue  
35 existing operations.

1     Sec. 5. Section 28.90, Code Supplement 1983, is amended  
2 to read as follows:

3     28.90 PRODUCT DEVELOPMENT CORPORATION NOTES. The  
4 corporation may issue Iowa product development corporation  
5 fund notes, the principal and interest of which shall be  
6 payable solely from the Iowa product development corporation  
7 fund established by this division. The fund notes of each  
8 issue shall be dated, shall mature at times not exceeding  
9 ten years from their dates of issue, and may be made redeemable  
10 before maturity, at the option of the corporation, at prices  
11 and under terms and conditions as determined by the  
12 corporation. The corporation shall determine the form and  
13 manner of execution of the fund notes, including any interest  
14 coupons to be attached, and shall fix the denominations and  
15 the places of payment of principal and interest, which may  
16 be any financial institution within or without the state or  
17 any agent, including the lender. If an officer whose signature  
18 or a facsimile of whose signature appears on fund notes or  
19 coupons ceases to be that officer before the delivery of the  
20 notes or coupons, the signature or facsimile is valid and  
21 sufficient for all purposes the same as if the officer had  
22 remained in office until delivery. The fund notes may be  
23 issued in coupon or in registered form, or both, as the  
24 corporation determines, and provision may be made for the  
25 registration of coupon fund notes as to principal alone and  
26 also as to both principal and interest, and for the conversion  
27 into coupon fund notes of any fund notes registered as to  
28 both principal and interest, and for the interchange of  
29 registered and coupon fund notes. Fund notes shall bear  
30 interest at rates as determined by the corporation and may  
31 be sold in a manner, either at public or private sale, and  
32 for a price as the corporation determines to be best to  
33 effectuate the purposes of the housing-assistance Iowa product  
34 development corporation fund. The proceeds of fund notes  
35 shall be used solely for the purposes for which issued and

1 shall be disbursed in a manner and under restrictions as  
2 provided in this division and in the resolution of the  
3 corporation providing for their issuance. The corporation  
4 may provide for the replacement of fund notes which become  
5 mutilated or are destroyed or lost.

6 Sec. 6. Section 28.93, Code Supplement 1983, is amended  
7 to read as follows:

8 28.93 AUDITS. The auditor of state shall audit the books  
9 and accounts of the corporation at least semi-annually. One  
10 audit shall be conducted for the preceding fiscal year on  
11 or after July 1 of each fiscal year. The results of the  
12 yearly audit shall be ~~certified-and-turned-over~~ submitted  
13 to the governor no later than ~~July-30~~ December 31 of each  
14 fiscal year.

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SENATE FILE 2063

AN ACT

RELATING TO THE IOWA PRODUCT DEVELOPMENT CORPORATION ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 28.83, subsection 3, Code Supplement 1983, is amended to read as follows:

3. The board of directors shall annually elect one member as chairperson and one member as secretary. The board may elect other officers of the corporation as necessary. Members ~~shall not receive compensation but~~ are entitled to receive forty dollars per diem for each day spent in performance of duties and shall be reimbursed for necessary expenses incurred in the performance of duties from funds appropriated to the Iowa development commission.

Sec. 2. Section 28.86, Code Supplement 1983, is amended to read as follows:

28.86 PRESIDENT. The board of directors shall appoint a president of the corporation who shall serve at the pleasure of the board and shall receive the compensation determined by the board. The president is a state employee. The president shall not be a member of the board. The president ~~shall be~~ is the chief administrative and operational officer of the corporation and shall direct and supervise the administrative affairs and the general management of the corporation. The president may employ other employees as designated by the board. The president shall provide copies of all minutes, documents, and other records of the corporation and shall provide a certificate which attests to truthfulness of the copies, if requested. Persons dealing with the corporation may rely upon the certificates. The president shall keep a record of all proceedings, documents, and papers filed with the corporation.

Sec. 3. Section 28.88, Code Supplement 1983, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding the requirements of chapter 28A, relating to open meetings, and chapter 68A, relating to examination of public records, the corporation shall keep as confidential those items on the application for financial aid that the applicant has specifically requested to be held in confidence. These items shall remain confidential until the applicant says otherwise or the corporation determines the items no longer need to be held confidential.

Sec. 4. Section 28.89, Code Supplement 1983, is amended to read as follows:

28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND. There is created an "Iowa product development corporation fund". All funds of the corporation including the proceeds from the issuance of notes or sale of bonds under this division, any funds appropriated from the general fund to the corporation, and other income derived from the exercise of authority powers granted to the corporation under this division shall be paid

~~to the treasurer of state as an agent of the corporation and the treasurer shall deposit the amounts in~~ into the Iowa product development corporation fund notwithstanding section 12.10. The money in the Iowa product development corporation fund shall be paid out ~~by warrants signed by the treasurer of state on requisition of the president of the corporation~~ on the order of the person authorized by the corporation.

The money in the Iowa product development corporation fund shall be used for repayment of notes and bonds issued under this division, and the extension of financial aid granted by the corporation under this division, and the amount remaining may be used for the payment of the administrative and overhead costs of the corporation to the extent required. Notwithstanding section 8.33, no part of this fund shall revert at or after the close of a fiscal year unless otherwise provided by the general assembly, but shall remain in the fund and appropriated for the purposes of this division. The board shall seek to repay the state for general fund appropriations by recommending to the general assembly reversions from income received from successful ventures. The board shall recommend such action at any time when the revenue available to the board is deemed sufficient to continue existing operations.

Sec. 5. Section 28.90, Code Supplement 1983, is amended to read as follows:

28.90 PRODUCT DEVELOPMENT CORPORATION NOTES. The corporation may issue Iowa product development corporation fund notes, the principal and interest of which shall be payable solely from the Iowa product development corporation fund established by this division. The fund notes of each issue shall be dated, shall mature at times not exceeding ten years from their dates of issue, and may be made redeemable before maturity, at the option of the corporation, at prices and under terms and conditions as determined by the corporation. The corporation shall determine the form and

manner of execution of the fund notes, including any interest coupons to be attached, and shall fix the denominations and the places of payment of principal and interest, which may be any financial institution within or without the state or any agent, including the lender. If an officer whose signature or a facsimile of whose signature appears on fund notes or coupons ceases to be that officer before the delivery of the notes or coupons, the signature or facsimile is valid and sufficient for all purposes the same as if the officer had remained in office until delivery. The fund notes may be issued in coupon or in registered form, or both, as the corporation determines, and provision may be made for the registration of coupon fund notes as to principal alone and also as to both principal and interest, and for the conversion into coupon fund notes of any fund notes registered as to both principal and interest, and for the interchange of registered and coupon fund notes. Fund notes shall bear interest at rates as determined by the corporation and may be sold in a manner, either at public or private sale, and for a price as the corporation determines to be best to effectuate the purposes of the ~~housing-assistance~~ Iowa product development corporation fund. The proceeds of fund notes shall be used solely for the purposes for which issued and shall be disbursed in a manner and under restrictions as provided in this division and in the resolution of the corporation providing for their issuance. The corporation may provide for the replacement of fund notes which become mutilated or are destroyed or lost.

Sec. 6. Section 28.93, Code Supplement 1983, is amended to read as follows:

28.93 AUDITS. The auditor of state shall audit the books and accounts of the corporation at least semi-annually. One audit shall be conducted for the preceding fiscal year on or after July 1 of each fiscal year. The results of the yearly audit shall be ~~certified and turned over~~ submitted

to the governor no later than ~~July-30~~ December 31 of each fiscal year.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2063, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved May 2, 1984

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TERRY E. BRANSTAD  
Governor